

1 ERIC J. SIDEBOTHAM (SBN 208829)  
DANIEL M. SHAFER (SBN 244839)

2 **ERIC J. SIDEBOTHAM, APC**

TechMart Center

3 5201 Great America Parkway, Suite 320  
Santa Clara, California 95054

4 Telephone: (408) 856-6000

Facsimile: (408) 608-6001

5  
6 Attorneys for Plaintiff,  
ARDENTE, INC.

7 RICHARD D. GETZ

8 **O'SHEA, GETZ & KOSAKOWSKI, P.C.**

1500 Main Street, Suite 912

9 Springfield, MA 01115

10 Telephone: (413) 731-3100

Facsimile: (413) 731-3101

11 Attorneys for Defendant,  
12 DYNAMIC LIVING, INC.

13  
14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN FRANCISCO DIVISION  
17

18 ARDENTE, INC., a California corporation,

19 Plaintiff,

20 v.  
21

22 RICHARD J. SHANLEY, an individual; WEAR  
23 THE BEST, INC., a Connecticut corporation;  
24 STIR CHEF LLC, aka STIRCHEF LLC, a  
dissolved Connecticut limited liability company;  
DYNAMIC LIVING, INC., a Connecticut  
corporation; and DOES 1 through 20, inclusive,

25 Defendants.  
26  
27  
28

CASE NO. 3:07-cv-04479- MHP

**[PROPOSED] PERMANENT  
INJUNCTION AND FINAL JUDGMENT  
ON CONSENT**

1 WHEREAS Plaintiff Ardente, Inc., and Defendant Dynamic Living, Inc., have stipulated and  
2 agreed to a final judgment for permanent injunction in this action, under the terms and conditions set  
3 forth herein;

4 IT IS HEREBY ORDERED THAT:

5 1. Final judgment on consent for permanent injunctive relief shall be entered in this action  
6 against Defendant Dynamic Living, Inc. ("Defendant").

7 2. Defendant and its officers, agents, servants, employees, attorneys, subsidiaries, affiliates,  
8 successors, assigns, and any and all of those acting in active concert or participation with anyone who  
9 received actual notice of this order by personal service or otherwise, shall be permanently enjoined from  
10 manufacturing, producing, distributing, circulating, selling, offering for sale, importing, exporting,  
11 advertising, promoting, displaying, shipping, marketing or otherwise disposing of any food-stirring  
12 devices that infringe any claim of United States Patent No. 6,113,258, specifically including but not  
13 limited to the products marketed as "Stir Chef" and/or "EZ Stir," with the exception that Defendant shall  
14 have the right to retain and distribute ten (10) such products to existing customers of Defendant as  
15 necessary for the sole purpose of replacing defective units previously sold by Defendant.  
16  
17  
18

19 DYNAMIC LIVING, INC.

20  
21 DATED: October \_\_\_\_\_, 2007

22 By: Andrea S. Tannenbaum

23 ANDREA S. TANNENBAUM  
24 President

25 ARDENTE, INC.

26 DATED: October 31, 2007

27 By: John Ardente

28 JOHN ARDENTE  
President

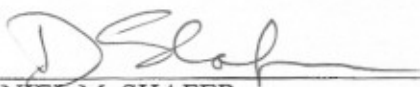
1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

2  
3 DATED: \_\_\_\_\_

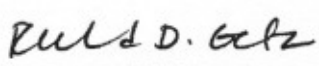
HONORABLE EDWARD M. CHEN  
United States Magistrate Judge

4  
5  
6 APPROVED AS TO FORM BY:

7 **ERIC J. SIDEBOTHAM, APC**

8  
9   
10 DANIEL M. SHAFER  
11 Attorneys for Plaintiff,  
ARDENTE, INC.

12  
13 **O'SHEA, GETZ & KOSAKOWSKI, P.C.**

14  
15   
16 RICHARD D. GETZ  
17 Attorneys for Defendant,  
DYNAMIC LIVING, INC.